



General Assembly

January Session, 2005

Amendment

LCO No. 7334

SB0081807334SD0

Offered by:

SEN. DAILY, 33rd Dist.

SEN. DUFF, 25th Dist.

SEN. MCDONALD, 27th Dist.

To: Subst. Senate Bill No. 818

File No. 708

Cal. No. 169

**"AN ACT CONCERNING VOLUNTEERS PARTICIPATING IN
HOMELAND SECURITY DRILLS OR RESPONDING TO FIRE OR
AMBULANCE CALLS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 29-269 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The State Building Inspector and the Codes and Standards
6 Committee shall revise the State Building Code to be in substantial
7 compliance with the provisions of the Americans with Disabilities Act
8 of 1990, as amended, 42 USC 12101 and the Fair Housing Amendments
9 Act of 1988, as amended, 42 USC 3600. The provisions of this
10 subsection and the State Building Code as from time to time revised
11 pursuant to this section shall control the design, construction and
12 arrangement of all buildings and building elements, constructed under

13 permits issued on or after October 1, 1975, and all buildings or
14 building elements constructed or substantially renovated by the state,
15 any municipality or any other political subdivision of the state, the
16 architectural design of which was commenced on or after October 1,
17 1977, except buildings which have been approved by the Department
18 of Housing and Urban Development as being in conformance with
19 federal standards for housing for the elderly and physically
20 handicapped and for which a permit was issued prior to June 9, 1976,
21 to ensure accessibility thereto and use by the physically handicapped.

22 (b) Any variation of or exemption from any provision of (1) the State
23 Building Code relating to accessibility to, and use of, buildings and
24 structures by persons with disabilities, (2) subsection (g) of section 14-
25 253a, (3) section 29-273, or (4) section 29-274, shall be permitted only
26 when approved by the State Building Inspector and the director of the
27 Office of Protection and Advocacy for Persons with Disabilities acting
28 jointly. Any person, agent of the state, municipality or any other
29 political subdivision of the state may apply to the State Building
30 Inspector to vary or set aside standards incorporated in the State
31 Building Code pursuant to the provisions of subsection (a) of this
32 section. The State Building Inspector, within seven days of receipt of
33 any such application, shall forward a copy of such application to said
34 director, who shall, within thirty days of receipt, review the
35 application, and acting jointly with the State Building Inspector, render
36 a decision to accept or reject the application in whole or in part. The
37 State Building Inspector and said director may approve a variation of
38 or exemption from any such standard or specification when they
39 jointly determine that [it] such standard or specification would not be
40 feasible, [or] would unreasonably complicate the construction,
41 alteration or repair in question, is unwarranted for such construction,
42 alteration or repair or that the variation would provide acceptable
43 alternative compliance to the standard or specification. Such
44 determination shall be in writing, shall state the reasons therefor and if
45 it sets aside any such standard or specification, a copy of such
46 determination shall be sent to said director. Any person aggrieved by

47 any such decision may appeal to the Codes and Standards Committee
48 within thirty days after such decision has been rendered.

49 (c) Regulations or codes made or amended by authority of this
50 section shall, after a public hearing called for that purpose by the State
51 Building Inspector not less than thirty days before the date of such
52 hearing, be filed by the State Building Inspector with the Secretary of
53 the State in accordance with the provisions of chapter 54 and he shall
54 thereafter make copies available to persons having an interest therein.

55 (d) If any regulation is set aside by a court of competent jurisdiction,
56 such ruling shall affect only the regulation, standard or specification
57 included in the ruling and all other regulations, standards or
58 specifications shall remain in effect.

59 Sec. 2. Section 29-273 of the general statutes is repealed and the
60 following is substituted in lieu thereof (*Effective from passage*):

61 Each residential building or complex constructed, substantially
62 renovated or established by change of use under a building permit
63 application filed on or after October 1, 2004, shall provide accessible or
64 adaptable dwelling units for persons with disabilities as required by
65 the 2003 International Building Code or its successor code upon such
66 successor code's adoption into the State Building Code.

67 Sec. 3. Section 29-223a of the general statutes is repealed and the
68 following is substituted in lieu thereof (*Effective July 1, 2005*):

69 (a) No person shall engage in, practice or offer to perform the work
70 of a hoisting equipment operator, except as provided in subsection (b)
71 or (c) of this section, who is not the holder of a valid crane operator's
72 license or hoisting equipment operator's license issued by the board.
73 Each licensed hoisting equipment operator shall carry his or her license
74 on his or her person when operating hoisting equipment. No person
75 may engage in, practice or perform the work of a hoisting equipment
76 operator apprentice unless he has obtained a certificate of registration
77 from the board. An apprentice's certificate may be issued for the

78 performance of work of a hoisting equipment operator for the purpose
79 of training, which work may be performed only under the supervision
80 of a licensed hoisting equipment operator.

81 (b) The provisions of this section shall not apply to: (1) Any person
82 engaged in the occupation of hoisting equipment operator in the state
83 on October 1, 2003, provided such person shall be required to obtain a
84 license [within] not later than one year of October 1, [2003] 2004, (2)
85 engineers under the jurisdiction of the United States, (3) engineers or
86 operators employed by public utilities or industrial manufacturing
87 plants, or (4) persons engaged in boating, fishing, agriculture or
88 arboriculture.

89 (c) On or after October 1, 2003, but not later than October 1, [2004]
90 2005, the board shall issue a license for a hoisting equipment operator
91 to any person who provides a notarized statement from the person's
92 employer indicating the dates and duties of employment operating
93 such equipment or proof of ownership and control of a company
94 utilizing such equipment.

95 Sec. 4. Section 29-224a of the general statutes is repealed and the
96 following is substituted in lieu thereof (*Effective July 1, 2005*):

97 Each crane or hoisting equipment owner or operator shall
98 immediately report any accident involving a crane or hoisting
99 equipment he owns or operates to the board. Upon receipt of any such
100 report, the board may cause a full investigation and inspection of such
101 crane or hoisting equipment to determine the cause of the accident and
102 may take any action it deems appropriate if, after notice and
103 opportunity for hearing, it determines that a violation of any provision
104 of this chapter or any regulations adopted thereunder exists.

105 Sec. 5. Section 29-224b of the general statutes is repealed and the
106 following is substituted in lieu thereof (*Effective July 1, 2005*):

107 The commissioner or any employee of the Department of Public
108 Safety, while engaged in the performance of his duties, may enter at all

109 reasonable hours into and upon any premises in or on which a crane or
110 hoisting equipment is located for the purpose of carrying out the
111 provisions of this chapter and the regulations adopted thereunder.

112 Sec. 6. Section 29-225 of the general statutes is repealed and the
113 following is substituted in lieu thereof (*Effective July 1, 2005*):

114 (a) The board may suspend or revoke a crane operator's license, a
115 hoisting equipment operator's license or an apprentice's certificate
116 after notice and hearing upon a finding that the holder has
117 demonstrated incompetence or has been guilty of negligence in the
118 performance of his work.

119 (b) The board may suspend or revoke a crane owner's registration
120 after notice and hearing upon a finding that the holder has failed to
121 properly maintain his crane or has permitted the operation of his crane
122 in an unsafe manner.

123 (c) The board may impose a civil penalty of not more than one
124 thousand dollars on any crane or hoisting equipment owner or
125 operator who violates any provision of this chapter or any regulations
126 adopted thereunder.

127 Sec. 7. (NEW) (*Effective from passage*) Not later than January 1, 2008,
128 the State Building Inspector and the State Fire Marshal, in conjunction
129 with the Codes and Standards Committee, shall make amendments to
130 the State Building Code and the State Fire Safety Code, in accordance
131 with the provisions of chapter 54 of the general statutes, to require the
132 installation of a floor proximity path marking system that shall include
133 path markers, path marking materials and related devices to identify
134 the path of emergency egress by providing a visible delineation of the
135 path of travel along the designated exit access that shall be continuous,
136 except as interrupted by doorways, hallways, corridors or other
137 architectural features, in occupancies regulated by the State Fire Safety
138 Code and constructed, substantially renovated or established by
139 change of use under a building permit application filed on or after
140 January 1, 2008. Such path markers and path marking materials shall

141 include markers and materials that are electrical and
142 photoluminescent."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	29-269
Sec. 2	<i>from passage</i>	29-273
Sec. 3	<i>July 1, 2005</i>	29-223a
Sec. 4	<i>July 1, 2005</i>	29-224a
Sec. 5	<i>July 1, 2005</i>	29-224b
Sec. 6	<i>July 1, 2005</i>	29-225
Sec. 7	<i>from passage</i>	New section